

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DONALD F. BENOIT, Derivatively on
Behalf of MBNA CORP. and on Behalf of
Himself and All Others Similarly Situation,

Plaintiff,

vs.

BRUCE L. HAMMONDS, KENNETH A.
VECCHIONE, RICHARD K. STRUTHERS,
JOHN R. COCHRAN, III, LANCE L.
WEAVER, CHARLES C. KRULAK,
MICHAEL G. RHODES, JOHN W.
SCHEFLEN, RANDOLPH D. LERNER,
JAMES H. BERICK, MARY M. BOIES,
BENJAMIN R. CIVILETTI, WILLIAM L.
JEWS, STUART L. MARKOWITZ,
WILLIAM B. MILSTEAD, THOMAS G.
MURDOUGH, LAURA S. UNGER, and
KENNETH D. LEWIS,

Defendants,

--and--

BANK OF AMERICA CORPORATION, a
Delaware Corporation, AS SUCCESSOR IN
INTEREST TO MBNA CORP., and MBNA
CORP., a Maryland Corporation,

Nominal Defendants.

Civ. No. 07-CV-561

**STIPULATION AND ORDER EXTENDING
PLAINTIFF'S TIME TO FILE REPLY BRIEF**

WHEREAS on December 10, 2007, Plaintiff Donald F. Benoit filed a Motion for appointment as lead Plaintiff pursuant to the Private Securities Litigation Reform Act (the “PSLRA”);

WHEREAS, Defendants have filed two opposition Briefs to that Motion;

WHEREAS, due to the Holidays and pre-existing vacation schedules, plaintiff seeks a very short extension of time to file a Reply, from January 7, 2008 to January 11, 2008;

WHEREAS, Plaintiff will seek no further extension; and

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for the parties herein, subject to the Order of this Court, that Plaintiff’s time to file his Reply papers on his Motion for Appointment as Lead Plaintiff is extended from January 7, 2008, to January 11, 2008.

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December 28, 2007

/s/ Richard H. Morse

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SO ORDERED, this ____ day of ____, 2007

Chief, United States District Judge